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CITY OF MORGAN HILL, MORGAN HILL  
POLICE DEPARTMENT, EX-CHIEF  
BRUCE CUMMING, OFFICER DANIEL  
ORTEGA, OFFICER MAX CERVANTEZ  
AND OFFICER RICK RODRIGUEZ

FILED FOR JUDGE

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Attorney for Plaintiff  
JOSEPH RONALD TACCI

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH RONALD TACCI,  
  
Plaintiff,  
  
v.

CITY OF MORGAN HILL, MORGAN HILL  
POLICE DEPARTMENT, EX-CHIEF  
BRUCE CUMMING, OFFICER DANIEL  
ORTEGA, OFFICER MAX CERVANTEZ,  
OFFICER RICK RODRIGUEZ, DOES 1-  
25,

Defendants.

CASE NO. 5:11-CV-04684 RMW ENE

**STIPULATION TO EXTEND, AND ORDER  
GRANTING EXTENSION OF, DEADLINE  
TO COMPLETE EARLY NEUTRAL  
EVALUATION**

**IT IS HEREBY STIPULATED** by and between the parties to this  
action, by and through their respective attorneys of record, as  
follows:

1           1.     The court referred the parties to Early Neutral  
2     Evaluation on December 2, 2011.

3           2.     The deadline for the parties to complete Early Neutral  
4     Evaluation is March 1, 2012, pursuant to Local Rule 5-4(b).

5           3.     On January 10, 2012, the court assigned Anthony  
6     Boskovich, Esq., Law Offices of Anthony Boskovich, 28 N. First  
7     Street, 6<sup>th</sup> Floor, San Jose, California 95113, (408)286-5150, as  
8     the Neutral Evaluator in this matter.

9           4.     On February 1, 2012, counsel for defendants requested  
10    the scheduling of a joint telephone conference in a writing to  
11    Mr. Boskovich, copying plaintiff's counsel Ronald Berki on the  
12    communication.

13          5.     On February 21, 2012, the parties learned that Mr.  
14    Boskovich is out of the office due to a surgery and is unable to  
15    conduct the Early Neutral Evaluation by the March 1, 2012  
16    deadline.

17          6.     The parties, after speaking with Mr. Boskovich's office  
18    and learning the status of his recovery, request a sixty (60) day  
19    extension by which to complete the Early Neutral Evaluation.

20          7.     This stipulation may be signed in counterpart and by  
21    facsimile, all of which taken together shall constitute the same  
22    stipulation.

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1 IT IS SO STIPULATED.

2  
3 DATED: February 22, 2012 SELMAN BREITMAN LLP

4  
5 By: /s/ Gregg A. Thornton  
6 GREGG A. THORNTON  
7 ERIKA J. SCOTT  
8 Attorneys for Defendants  
9 CITY OF MORGAN HILL, MORGAN HILL  
POLICE DEPARTMENT, EX-CHIEF  
BRUCE CUMMING, OFFICER DANIEL  
ORTEGA, OFFICER MAX CERVANTEZ  
AND OFFICER RICK RODRIGUEZ

10 DATED: February 22, 2012 LAW OFFICES OF RONALD Z. BERKI

11  
12 By: /s/ Ronald Z. Berki  
13 RONALD Z. BERKI  
14 Attorney for Plaintiff  
15 JOSEPH RONALD TACCI

16 ORDER

17 PURSUANT TO THE STIPULATION as set forth and executed above,  
18 and for good cause appearing therefore,

19 IT IS HEREBY ORDERED that the deadline by which the parties  
20 must complete Early Neutral Evaluation is extended sixty (60)  
21 days, until April 30, 2012.

22 Dated: GGJFG

23 Ronald M. Whyte  
24 Hon. Ronald M. Whyte  
25 UNITED STATES DISTRICT JUDGE  
26 NORTHERN DISTRICT OF CALIFORNIA  
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